

EXHIBIT 17

In The Matter Of:
Securities and Exchange Commission v.
Strategic Global Investments, Inc., et al.

Andrew T. Fellner
December 13, 2016

Behmke Reporting and Video Services, Inc.
160 Spear Street, Suite 300
San Francisco, California 94105
(415) 597-5600

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF CALIFORNIA
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5 SECURITIES AND EXCHANGE COMMISSION,)
6)
7 Plaintiff,) CASE NO.
8 vs.) 16-CV-00514-H-JLB
9 STRATEGIC GLOBAL INVESTMENTS, INC.)
10 AND ANDREW T. FELLNER,)
11 Defendants.)
12 - - - - -
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16 DEPOSITION OF ANDREW T. FELLNER
17 TUESDAY, DECEMBER 13, 2016
18
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20
21 BEHMKE REPORTING AND VIDEO SERVICES, INC.
22 BY: PAULA A. PYBURN, CSR NO. 7304, RPR, CLR
23 160 SPEAR STREET, SUITE 300
24 SAN FRANCISCO, CALIFORNIA 94105
25 (415) 597-5600

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8 Deposition of ANDREW T. FELLNER, taken on behalf
9 of Plaintiff, at 525 B Street, Suite 1500, San Diego,
10 California, commencing at 10:57 A.M., TUESDAY,
11 DECEMBER 13, 2016, before Paula A. Pyburn, Certified
12 Shorthand Reporter No. 7304, RPR, CLR, pursuant to
13 Notice.
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1 APPEARANCES OF COUNSEL:
2 FOR PLAINTIFF - (TELEPHONICALLY):
3 SECURITIES AND EXCHANGE COMMISSION
4 BY: ANDREW O. SCHIFF, REGIONAL TRIAL COUNSEL
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10 FOR DEFENDANTS:
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2	ANDREW T. FELLNER		
3	Number	Description	Page
4	Exhibit 1	Testimony of Andrew Tivadar	
5		Fellner Before the SEC on	
6		February 24, 2015 - 14 pages	6
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1	TUESDAY, DECEMBER 13, 2016; 10:57 A.M.		
2			
3	ANDREW T. FELLNER,		
4	having been duly sworn, testified as follows:		
5			
6	EXAMINATION		
7	BY MR. SCHIFF:		
8	Q	Good morning, Mr. Fellner.	
9	A	Hi. How are you?	
10	Q	My name -- I'm Andrew Schiff. I represent the	
11		Securities and Exchange Commission in this case. We're	
12		going to go forward with your deposition.	
13	A	Okay.	
14	Q	I say this in every case, but particularly since	
15		we have a telephone hookup, if you're not sure whether	
16		you heard or understood my question, please don't answer	
17		it. Please ask me to clarify or simply to repeat it.	
18		Fair enough?	
19	A	Sure. That's good.	
20	Q	Thank you.	
21		Could the court reporter give the witness	
22		Exhibit 1.	
23	MR. JACOBS:	We got it.	
24	MR. SCHIFF:	Great.	
25		(Whereupon, Plaintiff's Exhibit 1 was marked	

			Page 7
1	for identification by the Court Reporter.)		
2	BY MR. SCHIFF:		
3	Q	Mr. Fellner, is Exhibit 1 your investigative	
4		testimony taken on February 24th, 2015?	
5	MR. JACOBS:	That is the document in front of	
6		him, yes.	
7	THE WITNESS: Yes.		
8	BY MR. SCHIFF:		
9	Q	Okay. Sir, are there any questions you were	
10		asked at your investigative testimony to which you would	
11		now like to answer, or do you continue to assert your	
12		Fifth Amendment privilege?	
13	A	I'm going to continue to assert my Fifth	
14		Amendment privilege.	
15	Q	Okay. And I have just a few additional	
16		questions. And, again, if you choose to assert your	
17		Fifth Amendment privilege, you can just say, "I take the	
18		Fifth."	
19	Is that agreed?		
20	A	Yes.	
21	Q	Okay. Sir, prior to March 27th, 2014, did you	
22		attempt to find out whether marijuana cultivation was	
23		permitted in unincorporated Teller County, Colorado?	
24	A	I take the Fifth.	
25	Q	Prior to March 27th, 2014, had you received any	

			Page 8
1	information about whether marijuana cultivation was		
2	permitted in unincorporated Teller County, Colorado?		
3	A	I take the Fifth.	
4	Q	Describe any information you received about	
5		whether marijuana cultivation was permitted in	
6		unincorporated Teller County, Colorado.	
7	A	I take the Fifth.	
8	Q	Prior to March 27th, 2014, did you attempt to	
9		find out whether Strategic Global Investments or Bearpot,	
10		B, as in boy, e-a-r-p, as in Peter, o-t -- Strategic	
11		Global Investments or Bearpot would be able to obtain a	
12		Colorado license to cultivate marijuana?	
13	A	I take the Fifth.	
14	Q	Prior to March 27th, 2014, had you received any	
15		information about whether Strategic Global Investments or	
16		Bearpot would be able to obtain a Colorado license to	
17		cultivate marijuana?	
18	A	I take the Fifth.	
19	Q	What information did you receive?	
20	A	I take the Fifth.	
21	Q	Prior to March 27th, 2014, did you attempt to	
22		find out whether your status as a nonresident of Colorado	
23		would affect the ability of Strategic or Bearpot to	
24		obtain a Colorado license to cultivate marijuana?	
25	A	I take the Fifth.	

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1 Q Prior to March 27th, 2014, had you received any
2 information about whether your status as a nonresident of
3 Colorado would affect the ability of Strategic or Bearpot
4 to obtain a Colorado license to cultivate marijuana?

5 A I take the Fifth.

6 Q What information did you receive?

7 A I take the Fifth.

8 Q Mr. Fellner, would you continue to assert the
9 Fifth Amendment privilege regarding all questions
10 pertaining to Strategic's entry into the Colorado
11 marijuana cultivation market?

12 A Yes.

13 Q Would you continue to assert the Fifth Amendment
14 privilege regarding all questions regarding the press
15 releases issued by Strategic in February and March 2014?

16 A Yes.

17 Q And, finally, would you continue to assert the
18 Fifth Amendment privilege regarding any other matters
19 pertaining to the amended complaint in this case?

20 A Yes.

21 MR. SCHIFF: Mr. Jacobs, do you have any
22 questions?

23 MR. JACOBS: Not of my own witness, no.

24 MR. SCHIFF: Okay.

25 That would conclude the deposition.

1 STATE OF CALIFORNIA)
2)

3 COUNTY OF RIVERSIDE)

4 I hereby certify that the witness in the
5 foregoing deposition, ANDREW T. FELLNER, was by me duly
6 sworn to testify to the truth, the whole truth and
7 nothing but the truth, in the within-entitled cause; that
8 the said deposition was taken at the time and place
9 herein named; that the deposition is a true record of the
10 witness's testimony as reported by me, a duly certified
11 shorthand reporter and a disinterested person, and was
12 thereafter transcribed into typewriting by computer.

13 I further certify that I am not interested in
14 the outcome of the said action, nor connected with, nor
15 related to any of the parties in said action, nor to
16 their respective counsel.

17 IN WITNESS WHEREOF, I have hereunto set my hand
18 this 14th day of December, 2016.

19 Reading and Signing was:

20 ___ requested ___ waived _X_ not requested

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PAULA A. PYBURN, CSR NO. 7304, RPR, CLR
STATE OF CALIFORNIA

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1 MR. JACOBS: Okay, great. Let's go off the
2 record -- done?

3 MR. SCHIFF: Yes.

4 MR. JACOBS: Okay. Can I ask you two questions?

5 THE REPORTER: Off the record?

6 MR. JACOBS: Yeah, off the record.

7 (At 11:02 a.m., the deposition
8 proceedings concluded.)
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ANDREW T. FELLNER

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